

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

THIRTY-THIRD LEGISLATIVE DAY
FRIDAY, FEBRUARY 11, 2022

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 64 members present.

Absent and excused - Armstrong, Boyle, Cannon, Hartgen, Okuniewicz, and Wood(Critchfield). Total - 6.

Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Hope Alles, Page.

3RD ORDER

Approval of Journal

February 11, 2022

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirty-second Legislative Day and recommend that same be adopted as corrected.

CHANEY, Chairman

Mr. Chaney moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

4TH ORDER

Consideration of Messages from the Governor and the Senate

THE OFFICE OF THE GOVERNOR

CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, that pursuant to the provisions of Section 59-917, Idaho Code, DOROTHY MOON, State Representative, District 8, Seat B, Boise, Custer, Gem, Lemhi, and Valley Counties, State of Idaho, has nominated, ROB BEISWENGER, of 27 Horseshu Vue Circle, Horseshoe Bend, Idaho 83629, to perform the duties of this office temporarily as Acting State Representative, District 8, Seat B.

NOW, THEREFORE, I, BRAD LITTLE, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Rob Beiswenger of Horseshoe Bend, Idaho, to the office of Acting State Representative, District 8, Seat B, for a term commencing February 11, 2022 through February 15, 2022.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this 11th day of February, in the year of our Lord two thousand and twenty-two, and of the

Independence of the United States of America, the two hundred and forty-sixth year and of the Statehood of Idaho the one hundred and thirty-second year.

/s/ BRAD LITTLE

Governor

/s/ LAWERENCE DENNEY

Secretary of State

The Certificate of Appointment was ordered filed in the office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Rob Beiswenger.

February 10, 2022

Mr. Speaker:

I transmit herewith [S 1262](#) and [S 1255](#) which have passed the Senate.

NOVAK, Secretary

[S 1262](#) and [S 1255](#) were filed for first reading.

5TH ORDER

Report of Standing Committees

February 11, 2022

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [HR 8](#), [HR 9](#), [HR 10](#), [HR 11](#), [HR 12](#), [HR 13](#), [HR 14](#), [HR 15](#), [HR 16](#), [HR 17](#), [HR 18](#), [H 577](#), [H 578](#), [H 579](#), [H 580](#), [H 581](#), [H 582](#), [H 583](#), [H 584](#), [H 585](#), [H 586](#), [H 587](#), [H 588](#), [H 589](#), [H 590](#), [H 591](#), [H 592](#), [H 593](#), [H 594](#), [H 595](#), [H 596](#), [H 597](#), [H 598](#), [H 599](#), [H 600](#), [H 601](#), [H 602](#), [H 603](#), and [H 604](#).

CHANEY, Chairman

[HR 8](#), [HR 9](#), [H 588](#), [H 589](#), [H 590](#), [H 591](#), [H 592](#), [H 593](#), [H 594](#), and [H 595](#) were referred to the Commerce and Human Resources Committee.

[HR 10](#), [HR 11](#), [HR 12](#), [HR 13](#), [HR 14](#), [HR 15](#), [HR 16](#), [HR 17](#), [HR 18](#), [H 596](#), [H 597](#), [H 598](#), [H 599](#), and [H 600](#) were referred to the Judiciary, Rules and Administration Committee.

[H 577](#), [H 578](#), [H 579](#), [H 580](#), [H 581](#), [H 582](#), and [H 583](#) were referred to the Business Committee.

[H 584](#), [H 585](#), [H 586](#), and [H 587](#) were referred to the Resources and Conservation Committee.

[H 601](#), [H 602](#), and [H 603](#) were referred to the Health and Welfare Committee.

[H 604](#) was referred to the State Affairs Committee.

February 10, 2022

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration [H 479](#) and [H 526](#) and recommend that they do pass.

PALMER, Chairman

[H 479](#) and [H 526](#) were filed for second reading.

February 10, 2022

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration [H 530](#) and recommend that it do pass.

KAUFFMAN, Chairman

[H 530](#) was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

7TH ORDER

Motions, Memorials, and Resolutions

HOUSE CONCURRENT RESOLUTION NO. 33

BY TRANSPORTATION AND DEFENSE COMMITTEE A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND COMMENDING BRIAN W. NESS FOR HIS YEARS OF SERVICE AND OUTSTANDING CONTRIBUTIONS TO THE IDAHO TRANSPORTATION DEPARTMENT AND TO THE PEOPLE OF IDAHO AND WISHING HIM WELL IN HIS RETIREMENT.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, Idaho Transportation Department (ITD) Director Brian W. Ness will retire on May 27, 2022; and

WHEREAS, Director Ness served as an employee of the Iowa Department of Transportation for three years and of the Michigan Department of Transportation for 30 years; and

WHEREAS, Director Ness is the Idaho Transportation Department's longest-serving director, at over 12 years; and

WHEREAS, under Director Ness's leadership the department successfully reorganized by eliminating layers of management from nine to five; and

WHEREAS, during Director Ness's tenure, the department reduced red tape by 45%; and

WHEREAS, in 2015, Director Ness worked with the Legislature and Governor to secure additional transportation funding for the first time in two decades; and

WHEREAS, Director Ness initiated an innovation program that utilizes thousands of ideas from frontline employees and has resulted in millions of dollars in savings and efficiencies; and

WHEREAS, Director Ness has made ITD a model for all other state agencies in terms of customer service, employee satisfaction, and cost-cutting solutions to everyday problems; and

WHEREAS, many of the programs and policies Director Ness created at ITD have been adopted as regional and national models; and

WHEREAS, Director Ness has led ITD to be recognized as a national leader in innovation by numerous organizations, including the Federal Highway Administration, the National Cooperative Highway Research Program, and the American Association of State Highway and Transportation Officials; and

WHEREAS, Director Ness has been called on by the White House and United States Congress to give voice to rural states like Idaho; and

WHEREAS, the department has won 20 American Association of State Highway Technical Officials President's Awards, more than any other state in the country; and

WHEREAS, the department has received 175 national awards and employee honors during his leadership; and

WHEREAS, in 2021, Director Ness worked with Governor Brad Little and the Legislature to secure \$60 million in new,

ongoing transportation revenue as well as onetime investments as part of Governor Little's "Leading Idaho" plan for statewide transportation and congestion mitigation projects; and

WHEREAS, Director Ness's leadership, innovative thinking, and hard work have truly left a mark on the department.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-sixth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we commend Brian W. Ness for his positive contributions and his years of service to the Idaho Transportation Department and the State of Idaho and wish him well in his retirement.

[HCR 33](#) was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

8TH ORDER

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 605

BY TRANSPORTATION AND DEFENSE COMMITTEE AN ACT

RELATING TO MOTOR VEHICLE DEALERS AND SALESMEN LICENSING; AMENDING SECTION 49-1637, IDAHO CODE, TO PROVIDE FOR LIVE, INTERACTIVE, INSTRUCTOR-LED TRAINING AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 606

BY AGRICULTURAL AFFAIRS COMMITTEE AN ACT

RELATING TO THE RIGHT TO FARM; AMENDING SECTION 22-4502, IDAHO CODE, TO REVISE A DEFINITION; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[H 605](#) and [H 606](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1262](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

[S 1255](#), by Education Committee, was introduced, read the first time by title, and referred to the Education Committee.

There being no objection, the House advanced to the Tenth Order of Business.

10TH ORDER

Second Reading of Bills and Joint Resolutions

[HCR 32](#), by Transportation and Defense Committee, was read the second time by title and filed for third reading.

[H 514](#) and [H 531](#), by State Affairs Committee, were read the second time by title and filed for third reading.

[S 1249](#), by Local Government and Taxation Committee, was read the second time by title and filed for third reading.

[H 515](#) and [H 516](#), by Health and Welfare Committee, were read the second time by title and filed for third reading.

[H 533](#), by Education Committee, was read the second time by title and filed for third reading.

The question being, "Shall [HCR 31](#) be adopted?"

Whereupon the Speaker declared [HCR 31](#) adopted by voice vote and ordered the resolution transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places until Monday, February 14, 2022. There being no objection, it was so ordered.

There being no objection, the House advanced to the Fifteenth Order of Business.

15TH ORDER
Announcements

Announcements were made to the body.

16TH ORDER
Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m., Monday, February 14, 2022. Seconded by Ms. Rubel. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:47 a.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk